



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,813	06/27/2003	Ahmad C. Ansari	1033-T00524	8395
60533	7590	04/01/2009		
TOLER LAW GROUP 8500 BLUFFSTONE COVE SUITE A201 AUSTIN, TX 78759			EXAMINER ALAM, MUSHFIK H	
			ART UNIT	PAPER NUMBER
			2426	
			MAIL DATE	DELIVERY MODE
			04/01/2009 PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,813

Applicant(s)

ANSARI ET AL.

Examiner

MUSHFIKH ALAM

Art Unit

2426

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/15/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-11, 13-26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7, 10-12, 16-20, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Baron et al. (US 2005/0262537).

Claim 1, Hicks teaches an apparatus comprising:

- a digital display monitor module (40) having a display device (paragraph [0042]); and
- an interactive network module (BMG, 100) that removably (BMG is a component which may be disconnected) interfaces with the digital display monitor module (fig. 1; paragraphs [0036], [0042], [0043]),
- the interactive network module (100) comprising an input interface (300) and a programmable conditional access system (through smart card technology) to enable conditional access to at least

one premium television service (pay-per-view, on demand, etc.) received by the input interface, (cable, DBS, etc) (paragraphs [0021], [0032], [0037], [0046], [0053]).

Hicks is silent regarding an apparatus comprising:

- wherein the PCAS is programmable by conditional access data sent by a signal from a service provider.

Baron teaches an apparatus comprising:

- wherein the PCAS (fig. 29) is programmable by conditional access data (working keys) sent by a signal from a service provider (headend) paragraphs [0197]-[0199].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided CA data from the headend for use with a smart card as taught by Baron to the system utilizing a smart card to allow for a security upgrade (paragraphs [0200]-[0201]).

Claim 2, Hicks teaches the apparatus of claim 1 wherein the digital display monitor module comprises a plurality of common interactive network module interfaces (interfaces for particular service providers), and wherein the interactive network module (BMG) interfaces with one of the common interactive network module interfaces (cable, DBS, etc.) (paragraph [0037]).

Claim 3, Hicks teaches the apparatus of claim 1 wherein the interactive network module comprises a demodulator (102) to demodulate digital television signals, including the at least one premium television service (pay per view), received by the input interface (fig. 1; paragraph [0053]).

Claim 4, Hicks teaches the apparatus of claim 3 wherein the demodulator comprises a cable television signal demodulator (123) (figs. 1, 2; paragraph [0037]).

Claim 7, Hicks teaches the apparatus of claim 3 wherein the demodulator comprises a direct broadcast satellite signal demodulator (123) (figs. 1,2; paragraph [0037]).

Claim 10, Hicks teaches the apparatus of claim 3 further comprising a digital television decoder (126) to decode demodulated digital television signals from the demodulator (figs. 1,2; paragraph [0042]).

Claim 11, Hicks teaches the apparatus of claim 10 wherein the digital television decoder comprises an MPEG decoder (paragraph [0039]).

Claim 12, Hicks teaches the apparatus of claim 11 wherein the MPEG decoder comprises an MPEG-2 decoder (paragraph [0039]).

Claim 16, Hicks teaches the apparatus of claim 1 wherein the interactive network module comprises a multicast-enabled device to extract digital television signals, including the at least one premium television service, received by the input interface.

Claim 17, Hicks teaches the apparatus of claim 1 wherein the interactive network module further comprises a storage device to provide a personal video recording feature (paragraph [0036]).

Claim 18, Hicks teaches the apparatus of claim 1 wherein the programmable conditional access system provides digital rights management (encryption, smart card) programmable by the at least two different service providers (cable, DBS, etc.) (paragraphs [0021], [0037], [0053], [0063]).

Claim 19, Hicks teaches the apparatus of claim 1 wherein the input interface comprises a cable television signal interface, and wherein the service provider is a cable television service provider (paragraph [0037]). *The tuner can be coupled to a CATV system. Therefore, a CATV transmission system is within the scope of Hicks.*

Claim 20, Hicks teaches the apparatus of claim 1 wherein the input interface comprises DBS signal interface, and wherein the service provider is a DBS service provider (paragraph [0037]). *The tuner can be coupled to a DBS system. Therefore, a DBS transmission system is within the scope of Hicks.*

Claim 22, Hicks teaches the apparatus of claim 1 wherein the input interface (smart card) (paragraph [0053]).

Baron teaches a network interface to receive the signal from the service provider paragraphs [0197]-[0199]).

4. Claims 5-6, 14-15, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Baron et al. (US 2005/0262537), and further in view of Hunter (US 7254828).

Claims 5 and 15, Hicks, Baron are silent regarding the apparatus wherein the cable television signal demodulator comprises a quadrature amplitude modulation demodulator.

Hunter teaches the apparatus wherein the cable television signal demodulator comprises a quadrature amplitude modulation demodulator (col. 6, lines 30-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided different modulation schemes (i.e. QAM) as taught by Hunter to the modulator of Hicks, Baron to comply with a particular television standard (i.e. NTSC) (col. 6, lines 45-48).

Claim 6, Hunter teaches the apparatus wherein the cable television signal demodulator comprises a vestigial sideband (VSB) demodulator (col. 6, lines 30-48).

Claim 14, Hunter teaches the apparatus wherein the interactive network module further comprises a modulator to modulate decoded digital television signals from the digital television decoder into an analog, NTSC format (col. 6, lines 30-48).

Claim 23 is analyzed as a combination of claims 1, 5-6, and 19. Hicks discloses "Tuner/demodulator can be coupled to one or more of a plurality of multimedia transmission systems" (Emphasis added). This is analyzed a plurality of cable television transmission systems.

5. Claims 8-9, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Baron et al. (US 2005/0262537), and further in view of Mears et al. (US 6707508).

Claim 8, Hicks, Baron are silent regarding the apparatus wherein the direct broadcast satellite signal demodulator comprises a quaternary phase shift keying (QPSK) demodulator.

Mears teaches the apparatus wherein the direct broadcast satellite signal demodulator comprises a quaternary phase shift keying (QPSK) demodulator (col. 3, lines 18-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided different modulation schemes (i.e.

QPSK) as taught by Mears to the modulator of Hicks, Baron to comply with a particular television standard (i.e. ATSC) (col. 3, lines 18-33).

Claim 9, Mears teaches the apparatus wherein the direct broadcast satellite signal demodulator comprises a vestigial sideband (VSB) demodulator (col. 3, lines 18-33).

Claim 24 is analyzed as a combination of claims 1, 8-9, and 20. Hicks discloses "Tuner/demodulator can be coupled to one or more of a plurality of multimedia transmission systems" (Emphasis added). This is analyzed a plurality of DBS transmission systems.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Baron et al. (US 2005/0262537), and further in view of Smith et al. (US 2004/0133914).

Claim 13, Hicks, Baron are silent regarding the apparatus wherein the digital television decoder comprises an H.264 AVC decoder.

Smith teaches the apparatus wherein the digital television decoder comprises an H.264 AVC decoder (paragraph [0036]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a decoder for various codecs (i.e. H.264)

as taught by Smith to the decoder of Hicks, Baron in order to be compatible with many formats of media (paragraph [0036]).

7. Claims 21, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Baron et al. (US 2005/0262537), and further in view of Hamilton et al. (US 2002/0087973).

Hicks, Baron are silent regarding the apparatus wherein the input interface comprises a digital switched video network interface.

Hamilton teaches the apparatus wherein the input interface comprises a digital switched video network interface (SDV) (paragraphs [0004], [0008]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided an a SDV interface as taught by Hamilton to the interfaces that are compatible in the system of Hicks, Baron to support high speed digital subscriber lines (paragraph [0004]).

Claim 25, note the discussion of claims 1 and 21 above. Hicks discloses "Tuner/demodulator can be coupled to one or more of a plurality of multimedia transmission systems" (Emphasis added). This is analyzed a plurality of a single type of transmission system.

Hamilton teaches the interactive network module comprising:

- a multicast-enabled device (STB) to extract digital television signals, including a premium television service (subscriber request), received by the digital switched video network interface (SDV) (paragraph [0004]).
8. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Baron et al. (US 2005/0262537), and further in view of Nelger et al. (US 2003/0005435).

Hicks, Baron are not entirely clear on wherein the PCAS is re-programmable by different CA data sent from a different device provider.

Nelger teaches wherein the PCAS is re-programmable by different CA data sent from a different device provider (paragraph [0033]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided CA data programming for different providers as taught by Nelger to the system of Hicks, Baron to allow users to have individualized ECMs (paragraph [0033]).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSHFIKH ALAM whose telephone number is (571)270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mushfikh Alam/
Examiner, Art Unit 2426
3/20/2009

/VIVEK SRIVASTAVA/
Supervisory Patent Examiner, Art Unit 2426